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United States
Department of
Agriculture

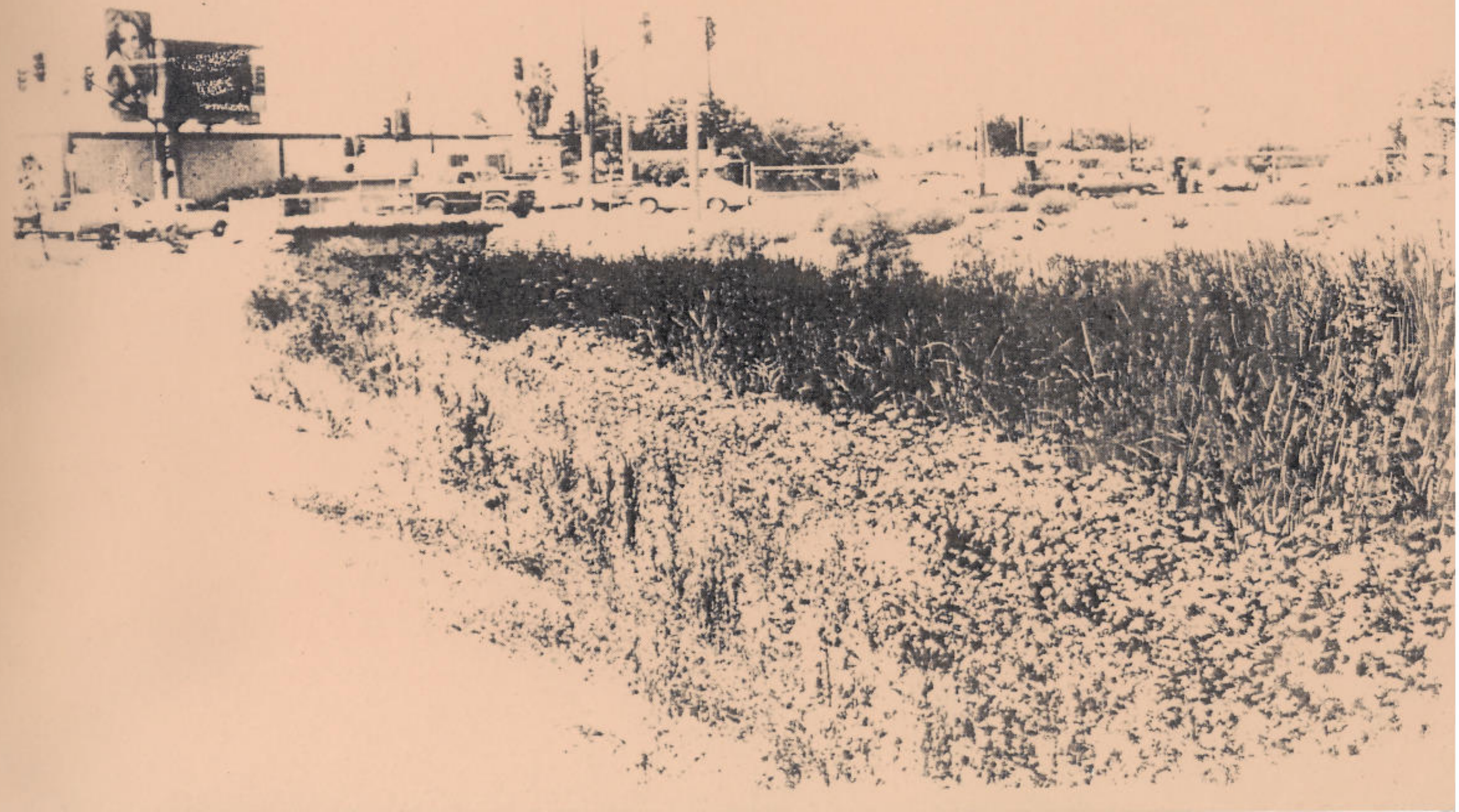
Soil
Conservation
Service

LOWER SILVER CREEK WATERSHED

FINAL WATERSHED PLAN AND ENVIRONMENTAL IMPACT STATEMENT/REPORT

SANTA CLARA COUNTY, CALIFORNIA

JULY, 1983



ADDENDUM

Lower Silver Creek Watershed, California

This addendum shows the project costs, benefits, and benefit-cost ratio based on a 8 1/8 percent interest rate. Annual project costs, benefits, and benefit-cost ratio are as follows:

1. Project costs are	$1,303,600
2. Project benefits are	$1,613,500
3. The project benefit-cost ratio is	1.2 to 1

FINAL
WATERSHED PLAN
AND
ENVIRONMENTAL IMPACT STATEMENT/REPORT

LOWER SILVER CREEK WATERSHED
Santa Clara County, California

Prepared under the Authority of the Watershed Protection and Flood Prevention Act, Public Law 83-566, as amended (16 USC 1001-1008) and in accordance with Section 102(2)(C) of the National Environmental Policy Act of 1969, Public Law 91-190, as amended (42 USC 4321 _et_ _seq_).

Lead Agency:	USDA, Soil Conservation Service
Local Sponsors:	Evergreen Resource Conservation District Santa Clara Valley Water District

Abstract:

This document describes a plan for channel enlargement and floodproofing to reduce floodwater and related damages and the threat of loss of life. Alternatives considered during planning included no project, nonstructural floodplain protection, and channel enlargement and floodproofing. Economic benefits exceed costs by 1.3 to 1.0 for the proposed project. Sponsors will pay 12.4 percent of the $13,954,000 installation costs. Environmental impacts include reduced floodwater damages, reduced sedimentation, and reduced threat of loss of life. This document is intended to fulfill requirements of the National Environmental Policy Act and to be considered for authorization of Public Law 83-566 funding.

For additional information contact: Eugene E. Andreuccetti, State Conservationist, Soil Conservation Service, 2828 Chiles Road, Davis, CA 95616, phone (916) 449-2848.

WATERSHED AGREEMENT

between the

EVERGREEN RESOURCE CONSERVATION DISTRICT

and

SANTA CLARA VALLEY WATER DISTRICT
(Referred to herein as sponsors)

STATE OF CALIFORNIA

and the

SOIL CONSERVATION SERVICE
UNITED STATES DEPARTMENT OF AGRICULTURE
(Referred to herein as SCS)

WHEREAS, application has heretofore been made to the Secretary of Agriculture by sponsors for assistance in preparing a plan for works of improvement for the Lower Silver Creek Watershed, State of California, under the authority of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1001-1008); and

WHEREAS, the responsibility for administration of the Watershed Protection and Flood Prevention Act, as amended, has been assigned by the Secretary of Agriculture to SCS; and

WHEREAS, there has been developed through the cooperative efforts of the sponsors and SCS a plan for works of improvement for the LOWER SILVER CREEK WATERSHED, State of California, hereinafter referred to as the watershed plan-Environmental Impact Statement, which plan is annexed to and made a part of this agreement;

NOW, therefore, in view of the foregoing considerations, the Secretary of Agriculture, through SCS, and the sponsors hereby agree on this plan and that the works of improvement for this project will be installed, operated, and maintained in accordance with the terms, conditions, and stipulations provided for in this watershed plan and including the following:

1. The sponsors will acquire, with other than P.L. 566 funds, such landrights as will be needed in connection with the works of improvement.

   Estimated cost is $1,639,000.

2. The sponsors assure that uniform and equitable treatment will be given to persons displaced from their homes, businesses, or farms as required by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as implemented by 7 CFR Part 21. The costs of relocation payments will be shared by the sponsors and SCS as follows:

	Sponsors (Percent)	SCS (Percent)	Estimated Relocation Payment Costs (Dollars)
Relocation Payments	12.4	87.6	$0[1]

[1] Investigation has disclosed that under present conditions the project measures will not result in the displacement of any person, business, or farm operation. However, if relocations become necessary, relocation payments will be cost shared in accordance with the percentages shown.

3. The sponsors will obtain all necessary Federal, state, and local permits as may be required for installation of the works of improvement.

4. The percentages of construction costs to be paid by the sponsors and by SCS are as follows:

Works of Improvement	Sponsors (Percent)	SCS (Percent)	Estimated Construction Costs (Dollars)
Structural (Channel Work)	0	100	10,397,000

5. The percentages of the engineering costs to be borne by the sponsors and SCS are as follows:

Works of Improvement	Sponsors (Percent)	SCS (Percent)	Estimated Engineering Costs (Dollars)
Structural (Channel Work)	0	100	623,000

6. The sponsors and SCS will each bear the costs of project administration that each incurs, estimated to be $92,000 and $1,196,000, respectively.

7. The percentages of nonstructural costs to be paid by the sponsors and by SCS are as follows:

Works of Improvement	Sponsors (Percent)	SCS (Percent)	Estimated Costs (Dollars)
Floodproofing	20	80	10,000

8. The sponsors will be responsible for the operation, maintenance, and replacement of the works of improvement by actually performing the work or arranging for such work, in accordance with agreements to be entered into before issuing invitations to bid for construction work.

9. The costs shown in this plan are preliminary estimates. Final costs to be borne by the parties hereto, will be the actual costs incurred in the installation of works of improvement.

10. This agreement is not a fund-obligating document. Financial and other assistance to be furnished by SCS in carrying out the plan is contingent upon the fulfillment of applicable laws and regulations and the availability of appropriations for this purpose.

11. A separate agreement will be entered into between SCS and sponsors before either party initiates work involving funds of the other party. Such agreements will set forth in detail the financial and working arrangements and other conditions that are applicable to the specific works of improvement.

12. This plan may be amended or revised only by mutual agreement of the parties hereto, except that SCS may deauthorize funding at any time it determines that the sponsor has failed to comply with the conditions of this agreement. In this case, SCS shall promptly notify the sponsor in writing of the determination and the reasons for the deauthorization of project funding, together with the effective date. Payments made to the sponsor or recoveries by SCS shall be in accord with the legal rights and liabilities of the parties when project funding has been deauthorized. An amendment to incorporate changes affecting a specific measure may be made by mutual agreement between SCS and the sponsor(s) having specific responsibilities for the measure involved.

13. No member of or delegate to Congress, or resident commissioner, shall be admitted to any share or part of this plan, or to any benefit that may arise therefrom; but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.

14. The program conducted will be in compliance with all requirements respecting nondiscrimination as contained in the Civil Rights Act of 1964, as amended, and the regulations of the Secretary of Agriculture (7 CFR 15.1-1t.12), which provide that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any activity receiving Federal financial assistance.

EVERGREEN RESOURCE CONSERVATION DISTRICT
888 North First Street
San Jose, CA 95112

By: Patricia Kammerer
Patricia Kammerer
Title: President

Date: September 13, 1983

The signing of this plan was authorized by a resolution of the governing body of the Evergreen Resource Conservation District adopted at a meeting held on July 12, 1983.

Helen Paulson
Helen Paulson, District Administrator
Date: September 13, 1983

888 N. First St., San Jose, CA 95112
Address Zip Code

SANTA CLARA VALLEY WATER DISTRICT
5750 Almaden Expressway
San Jose, CA 95118

By: Sig Sanchez
Sig Sanchez
Title: Chairman/Board of Directors

Date: September 13, 1983

The signing of this plan was authorized by a resolution of the governing body of the Santa Clara Valley Water District adopted at a meeting held on September 13, 1983.

Doris Marovich Doris Marovich
Clerk Pro Tem/Board of Directors
Date: September 13, 1983

5750 Almaden Expressway
San Jose, California 95118
Address Zip Code

UNITED STATES DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Approved By: Eugene E. Andreuccetti
EUGENE E. ANDREUCCETTI
State Conservationist

Date: Sept 23, 1983

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SUMMARY

Project Name: Lower Silver Creek Watershed, Santa Clara County, California.

Sponsors: Evergreen Resource Conservation District
Santa Clara Valley Water District

Description of Recommended Plan: Channel modification including 3.77 miles of concrete-lined channel and 0.87 miles of earthen channel, and floodproofing of two structures will:

--reduce, from 1,412 to 140, the number of buildings damaged by a 100-year flood,

--reduce, from 3,400 to 400, the number of vehicles damaged by a 100-year flood,

--reduce, from nine to two, the number of roadways subject to closure by a 100-year flood,

--reduce, from 294,000 to 145,000, the number of motorists that would have to be re-routed due to road closures,

--reduce, from 20,080 tons to 140 tons, sediment deposition on the floodplain during a 100-year flood,

--reduce, from 2,900 to 350, the number of people that would require food, shelter, and other emergency services during a 100-year flood,

--reduce, from 621 to 13, the number of residences where a life-threatening hazard would exist during a 100-year flood, and would eliminate this risk to residents of a retirement center and to students and personnel at an elementary school; and

--provide for establishment of 6.6 acres of biological and landscape mitigation plantings.

Alternatives Considered: Alternatives considered were: No Project, Nonstructural, and Channel Work and Floodproofing.

Resource Information:

Size:	27,700 acres		
Land Use:	Urban		12,200 acres
	Transition Zone		2,900 acres
	Hillside and Rangeland		12,600 acres
Land Ownership:	Private		95.5 percent
	State, Local		4.5 percent
	Federal		0 percent
Number of Farms:	27		
Average Size:	480 acres		
Prime Farmland:	520 acres		
Wetlands:	Type 3	14 acres	
	Type 5	50 acres	

Floodplain Land Use:	Urban (1,475 acres)
Threatened or Endangered Species:	None
Cultural Resources:	None

Problem Identification: Floodplain is located in a high density urban area where total damages from a 100-year flood are estimated to be $31,667,600. Average annual damages from all floods were estimated to be $1,782,700. Wildlife habitat and visual quality of the watershed have been reduced because of urbanization of the area. A serious threat of loss of life exists because officials would only have about a one-hour period from the time they could predict when a flood is imminent and the time actual flooding would occur. This problem is compounded by the fact that many residents in the floodplain are unaware of the flood risk and will be less likely to evacuate at the first signs of impending danger and because of the large number of children residing in the floodplain.

Candidate Plans Considered: Two alternatives, Nonstructural, and Channel Work and Floodproofing, were designated as candidate plans and considered by the sponsors before plan selection.

Project Purpose: Flood prevention

Principal Project Measures:

Concrete-lined channel	3.77 miles
Earthen channel	0.87 miles
Floodproofing	2 structures
Mitigation plantings	6.6 acres

Project Costs:

	PL-566 Funds	Other Funds	Total
Structural Measures			
Construction	$10,397,000	$ 0	$10,397,000
Land Rights	0	1,638,000	1,638,000
Project Administration	1,195,000	91,000	1,286,000
Engineering	623,000	0	623,000
Subtotal Structural	$12,215,000	$1,729,000	$13,944,000
Nonstructural Measures			
Construction	$ 6,000	$ 0	$ 6,000
Land Rights	0	1,000	1,000
Project Administration	1,000	1,000	2,000
Engineering	1,000	0	1,000
	$ 8,000	$ 2,000	$ 10,000
TOTAL PROJECT COST	$12,223,000	$1,731,000	$13,954,000

Annual Project Benefits:

Residential, Commercial, Industrial:	$1,587,300
Other:	29,000
Total	$1,616,300

Acres Benefitted:

Nonstructural	1
Structural	1,099
Total	1,100

Number of Buildings Protected:

Nonstructural	2
Structural	1,270
Total	1,272

Impacts:

Land Use Changes: None

Natural Resources Changes:	Wetlands	+8.9 acres (low quality)
	Wildlife habitat (riparian)	+2.0 acres (with mitigation)
	Prime Farmland	None
	Cultural Resources	None

Major Conclusions: There is a serious potential for major flooding to occur. Alternatives were formulated to solve the flooding problem. The alternative that produced the highest level of net benefits was selected as the recommended plan. Adverse environmental impacts were quantified and will be mitigated as part of this project.

Areas of Controversy: All areas of controversy that surfaced during the scoping and public participation process have been resolved or addressed in this document.

Issues to be Resolved: None.